

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, *ex rel.* DAVID
M. KESTER, et al.,

Plaintiffs,

v.

NOVARTIS PHARMACEUTICAL
CORPORATION, et al.,

Defendants.

Civil Action No.

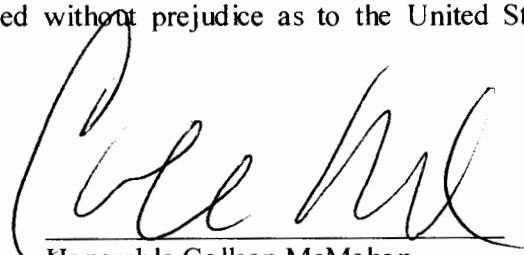
1:11-cv-08196 (CM)

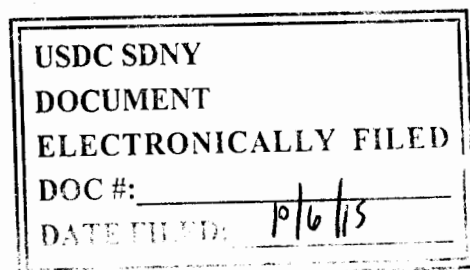
ECF CASE

~~PROPOSED~~ **ORDER OF DISMISSAL**

Relator David Kester (“Relator”) and Defendant CVS Health Corporation (formerly CVS Caremark Corporation) (“CVS”) have filed a Joint Stipulation of Dismissal and Motion for Order of Dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(2). The United States has consented to the dismissal pursuant to 31 U.S.C. § 3730(b)(1). The states of California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Virginia, and Wisconsin and the District of Columbia (the “Plaintiff States”) have consented to the dismissal pursuant to their respective False Claims Acts. The Relator’s claims against CVS are dismissed with prejudice as to Relator and are dismissed without prejudice as to the United States and the Plaintiff States.

Dated: 10/6/15


Honorable Colleen McMahon
United States District Judge



10-6-2015